UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Jeho Kim on behalf of himself and all others similarly situated,

Plaintiff,

٧.

Anytime Soju, Inc and Seungeun Jeong,

Defendants,

Index No. 1:22-CV-07049-JMF

STIPULATION OF CONDITIONAL COLLECTIVE CERTIFICATION

IT IS HEREBY STIPULATED AND AGREED, by and between the parties in the above-captioned action, acting by means of their respective counsel, that

- (1) Anytime Soju, Inc "(Corporate Defendant") and Seungeun Jeong ("Individual Defendant, and together with the Corporate Defendant as the "Defendants") consent to a conditional collective certification under §216(b) of the Fair Labor Standards Act ("FLSA") for all servers employed by the Defendants from March 7, 2019 to August 18, 2022 (the Covered Employees");
- (2) Defendants will provide, with respect to the Covered Employees, in Excel format, the name, last known mailing addresses, (if any), all known telephone numbers and the last four digits of social security numbers (if known), within ten (10) days (the "Stipulated Production Date") from the date of this Order.
- (3) Plaintiff's Counsel will mail the Notice of Pendency (Exhibit A) and a Consent to Join (Exhibit B) with translation in Korean to Covered Employees (the "Notices) within thirty (30) days from the date of this Order, and notify the Defendants' counsel of the mailing date, and prospective claimants will have Forty-Five (45) days thereafter to opt into this Action.

Dated: January 6, 2023

Ryan Kim Law, P.C.

By:_

Ryan J. Kim, Esq.

222 Bruce Reynolds Blvd. Suite 490

Fort Lee, NJ 07024 Tel: (201)897-8787

Email: ryan@ryankimlaw.com

Attorneys for Plaintiff

Ahne & Ji, LLP

By:

Younghoon Ji, Esq. 45 East 34th Street, 5th floor New York, NY 10016 Tel: (212) 594-1035 Email: yji@ahnejillp.com Attorneys for Defendants

January 10, 2023

So Ordered

JESSE M. FURMAN United States District Judge

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Jeho Kim on behalf of himself and all others similarly situated,

Index No. 1:22-CV-07049-JMF

Plaintiff,

v.

NOTICE OF PENDENCY OF LAWSUIT REGARDING WAGE

Anytime Soju, Inc and Seungeun Jeong,

Defendants,

Please read this notice if you are a former or current tipped employee employed by ANYTIME SOJU, INC., located at 23 W. 32nd Street, 3rd Floor, New York, NY 10001, at any time between March 7, 2019 and August 18, 2022

Former employee Jeho Kim ("Plaintiff") has sued Anytime Soju, Inc. and Seungeun Jeong, (collectively, "Defendants"), seeking (1) unpaid minimum wages, including unpaid overtime compensation (2) unpaid spread of hours premium, (3) liquidated damages and statutory penalties and (4) attorneys' fees and costs.

The lawsuit's federal collective Fair Labor Standards Act ("FLSA") claims seek back wages for unpaid wages, including minimum wage, overtime compensation, liquidated damages, and attorneys' fees and costs. The purpose of this Notice is to advise you of your right to participate in this lawsuit under the FLSA. This Notice applies only to the FLSA collective action claims, not to the class action claim brought under the NYLL.

Defendants deny that Plaintiff's claims have merit. The Court has not decided the merits of any claims or any defenses asserted by any party to this lawsuit or whether any party is right or wrong.

YOUR LEGAL RIGHTS

If you worked for Defendants as an employee at any time between March 7, 2019 and August 18, 2022, and believe that you may be able to assert any of the claims described above, you have the right to participate in this lawsuit. It is your right to join or not to join this lawsuit. If you decide to join this lawsuit, it is illegal for Defendants to retaliate, discharge, take any adverse action, or discriminate against you in any way for participating in this lawsuit.

If you participate in this lawsuit's FLSA claims, you will be required to provide information and answer questions, and you may be required to testify at a deposition and in court

and to produce documents. You will also be bound by the outcome of this lawsuit's FLSA claims, whether it is favorable or unfavorable to the plaintiffs.

To join this lawsuit, you must sign a "Consent to Sue" form, which is enclosed with this Notice, and send it on or before [45 days from the date this notice is sent out]:

Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Fax: (718) 573-1111

Email: ryankimlaw@gmail.com

If you do not join this lawsuit, and instead intend to bring your own lawsuit, you should be aware that the lawsuit must be brought within a specific period of time. Generally, the statute of limitations under the FLSA is two or three years from the date of the violation.

THE LAWYERS REPRESENTING PLAINTIFF

If you join this lawsuit and agree to be represented by Plaintiff through his attorneys, you will be represented by Ryan Kim Law, P.C. The firm is handling the lawsuit on a "contingency fee" basis, which means that you do not have to pay any attorneys' fees or expenses for this lawsuit. If the plaintiffs win a favorable judgment, Ryan Kim Law, P.C. may ask the Court to award it up to one-third of the monetary recovery. You are not required to have Ryan Kim Law, P.C. represent you. If you want your own attorney to represent you in this lawsuit, however, you will be responsible for paying that attorneys' fees and expenses.

GETTING MORE INFORMATION

You can obtain more information about this lawsuit by contacting Ryan Kim, Esq.

Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Tel: (718) 573-1111 Fax: (718) 573-1111

Email: ryankimlaw@gmail.com

Do not call or write the Court or the Clerk's Office with questions.

Dated:	2023	,
Dateo:	. /11/.*	١

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Jeho Kim on behalf of himself and all others similarly situated,

Index No. 1:22-CV-07049-JMF

Plaintiff,

v.

임금에 관한 소송계류통지서

Anytime Soju, Inc and Seungeun Jeong,

Defendants.

2019 년 3월 7일부터 2022년 8월 18일 사이 23 W. 32nd Street, 3rd Floor, New York, NY 10001 에 위치한 (주)애니타임 소주에서 팁을 받는 직원으로 고용된 적이 있거나 현재고용되었다면 이 공지를 읽으십시오.

전 직원인 김제호 (이하 "원고")는 ㈜애니타임소주와 정승은 (통칭하여 "피고들")을 상대로 (1) 미지급 초과수당을 포함한 최저임금 미지급 (2) Spread of Hours 수당의 미지급, (3) 손해배상과 법정 벌금 및 (4) 변호사 수임료 및 비용청구 소송을 했습니다.

이 소송의 연방 집단 공정 노동 기준법("FLSA") 청구는 최저임금, 초과근무 수당, 손해배상, 변호사 수임료 및 비용을 포함하여 미지급 임금에 대한 임금 회수를 요구합니다. 이 통지의 목적은 FLSA 에 따라 이 소송에 참여할 수 있는 귀하의 권리를 귀하에게 알리는 것입니다. 이 통지는 FLSA 단체 소송 청구에만 적용되며 뉴욕근로법에 따라 제기된 집단소송 청구에는 적용되지 않습니다.

피고측은 원고의 주장을 부인합니다. 현재까지 법원은 이 소송의 그 어느 당사자가 주장하는 청구 또는 방어의 옳고 그름을 결정하지 않았습니다.

귀하의 법적 권리

귀하가 2019 년 3월 7일부터 2022 년 8월 18일 사이 피고들을 위해 직원으로써 일했고 위에서 설명한 청구를 주장할 수 있다면 이 소송에 참여할 권리가 있습니다. 이 소송에 참여하거나 참여하지 않는 것은 귀하의 결정입니다. 귀하가 이 소송에 참여하기로 결정하는 경우, 피고가 이 소송에 참여했다는 이유로 귀하를 상대로 보복, 해고 혹은불리한 조치를 취하거나 어떤 식으로든 차별하는 것은 불법입니다.

이 소송의 FLSA 청구에 참여하실 경우 귀하는 이 소송건 진행에 있어 필요한 정보 제공 및 질문에 대한 답변, 그리고 증인심문 및 법정에서 증언 혹은 문서를 제출해야 할 의무를 가질 수 있습니다. 또한, 귀하는 원고들에게 유리하건 유리하지 않건의 여부에 관계없이 이소송의 최종 결과에 승복하셔야 합니다..

본 소송에 참여하시려면 본 고지문에 동봉된 "고소동의서"에 서명하여 [고지 발송일로부터 45일]까지 보내주셔야 합니다.

Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Fax: (718) 573-1111

Email: ryankimlaw@gmail.com

귀하가 본 소송에 참여하지 않고 본인이 직접 소송을 제기하고자 하는 경우에는 일정 기간 내에 소송을 제기해야 함을 인지하셔야 합니다. 일반적으로 FLSA 에 따른 공소시효는 위반일로부터 2년 또는 3년입니다.

원고대리 변호사

귀하가 이 소송에 참여하고 원고가 그의 변호사를 통해 대리하는 데 동의하면 귀하는 Ryan Kim Law, P.C.를 통해서 대변되게 됩니다. 회사는 "성공보수금" 기준으로 소송을 처리하고 있으며, 이는 귀하가 이 소송에 대한 변호사 비용이나 비용을 지불할 필요가 없음을 의미합니다. 원고가 승소할 경우 Ryan Kim Law, P.C.는 금전적 보상의 최고 1/3 까지 법원에 요청할 수 있습니다. 귀하를 대변하도록 꼭 Ryan Kim Law, P.C.를 꼭 필요로 하는 것은 아닙니다. 만일 귀하의 변호사가 이 소송에서 귀하를 대변하기를 원하는 경우 귀하는 해당 변호사의 수수료와 비용을 지불할 책임이 있습니다.

더 많은 정보를 얻기

라이언 김 변호사에게 연락하시면 더 많은 정보를 얻으실 수 있습니다.

Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Tel: (718) 573-1111

"CONSENT TO SUE" FORM

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Jeho Kim on behalf of himself and all others similarly situated,	Index No. 1:22-CV-07049-JMF
Plaintiff, v.	CONSENT TO SUE
Anytime Soju, Inc and Seungeun Jeong,	
Defendants,	

If you are or were employed as a former or current tipped employee employed by Defendants at any time between March 7, 2019 and August 18, 2022, complete and mail this "Consent to Sue" Form by [45 days from the date of notice] to:

Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Tel: (718) 573-1111

Fax or Text: (718) 573-1111 Email: ryankimlaw@gmail.com

I hereby consent to join this lawsuit as a party plaintiff. By signing and returning this consent form, I hereby designate Ryan Kim Law, P.C. to represent me and make decisions on my behalf concerning the litigation and any settlement.

Name:			
Address:			
City:	State:	Zip:	
Telephone Number:	Social Secur	rity No.:	
E-mail Address:			
SIGNATURE:		Date:	

"고소동의서" 양식

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Jeho Kim on behalf of himself and all others similarly situated,	Index No. 1:22-CV-07049-JMF		
Plaintiff, v.	고소동의서		
Anytime Soju, Inc and Seungeun Jeong,			
Defendants,			
귀하가 2019년 3월 7일에서 2022년 8월 18일 사이 피고에게 팁을 받는 직원으로 고용된적이 있거나 현재 직원이라면 이 "고소 동의서" 양식을 아래로 [통지일로부터 45일]까지작성하여 발송하십시오.			
Ryan Kim, Esq. Ryan Kim Law, P.C. 222 Bruce Reynolds Blvd. Suite 490 Fort Lee, NJ 07024 Tel: (718) 573-1111 Fax: (718) 573-1111 Email: ryankimlaw@gmail.com			
본인은 원고로서 본 소송에 참여하는 것에 동의합니다 본인은 소송 및 합의와 관련하어 나를 대변하고 나를 Law, P.C.를 지정합니다.			
이름:			
~ ^			

도시: _____ 주: ____ 우편변호: _____

전화번호: _____ 소셜번호:____

이메일 주소:

서명: _____날짜: _____날짜: